



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

5720
ARSF-F
October 30, 2013

SENT VIA EMAIL TO: 6751-06264013@REQUESTS.MUCKROCK.COM
MR JASON SMATHERS
MUCKROCK NEWS
DEPT MR 6751
PO BOX 55819
BOSTON MA 02205-5819

Dear Mr. Smathers:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST, FILE NUMBER
USMC-HQ 2013F041065

This responds to your September 17, 2013, FOIA request seeking records concerning the discontinuation of the Commandant of the Marine Corps' monthly report. Your request was controlled under file number **USMC-HQ 2013F041065**.

You requested a waiver of all fees. Before making a decision, we must first determine whether your request meets the Department of Defense (DoD) requirements for fee waivers, taking into consideration the following factors:

1. Does the record specifically concern identifiable operations or activities of the Government?
2. If so, is disclosure likely to contribute to public understanding of these operations and activities? Are the releasable contents of the record(s) meaningfully informative in relation to the subject of the request? For example, is this information of wide public interest and will your disclosure be unique in enhancing public knowledge?
3. Is the focus on contributing to public understanding rather than the requester's own understanding or that of a narrow segment of interested persons?
4. Will any likely contribution to public understanding be significant?

Requests for fee waivers should address these requirements in sufficient detail for us to make an informed decision, as each request is considered on its own merits. Since you have not provided the required information, your request must be denied.

You also assert that you are a representative of the news media. Based on your request and the information provided, however, you do not appear to fall within the definition of 'news media'. For instance, it does not seem that any editorial skill or expertise will be applied to the

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requested information to turn it into a distinct work; it will simply be made available to the public at large. I also do not find that the requested information actually constitutes 'news' about current events or that it would be of current interest to the public. For these reasons, your request must be denied.

We initiated a search of the files maintained by the Director of the Marine Corps Staff, which identified one document as responsive to your request. Upon review, we have determined that it is releasable and have enclosed a copy with this letter.

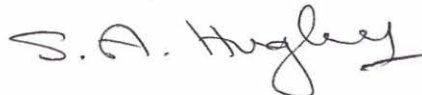
You will see that some information has been redacted. Specifically, names, addresses, and telephone numbers have been withheld pursuant to FOIA exemption (b)(6), which prohibits disclosure of personal information when an individual's privacy interest in it outweighs any public interest.

In view of the above, you may consider this to be an adverse determination that may be appealed to the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 60 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted. I recommend that your appeal and its envelope both bear the notation "Freedom of Information Act Appeal."

We have categorized you as an "other requester" for the purpose of assessing FOIA processing fees. As such, you are entitled to two hours of search time and 100 pages of duplication free of charge but are responsible for the payment of any fees beyond that. In this instance, the applicable fees did not exceed your free entitlement so there is no charge for processing this request.

I am the official responsible for this determination. Questions concerning this action should be directed to Ms. Barbara Gonzalez at (571) 256-8636 or (703) 614-4008, or via email to smb.hqmc.foia@usmc.mil or fax at (703) 614-6287. Please reference the file number in the subject line above.

Sincerely,

A handwritten signature in black ink, appearing to read "S. A. Hughes", with a stylized flourish at the end.

S. A. HUGHES
Head, FOIA/PA Section

Enclosure

ENCLOSURE

Gonzalez CIV Barbara

From: (b)(6)
Sent: Thursday, April 25, 2013 14:02
To: (b)(6)
(b)(6) Delorier SES Peter L;
(b)(6)
Cc:
Subject: CANCELED CMC MONTHLY REPORT SUBMISSIONS
Importance: High

Good afternoon ladies and gentlemen,

We are suspending CMC Monthly reports until further notice. If there are any questions please let me know.
You may also contact (b)(6) 703-614-2828.

V/r

(b)(6)
Office of the Director, Marine Corps Staff
HQMC 3000 Marine Corps Pentagon, (b)(6)
Office: (b)(6)
(b)(6)